

REMARKS/ARGUMENTS

**Claims Status**

Claims 1-13 are pending. Claims 1-5 and 8-13 are withdrawn due to a previous Restriction Requirement. Claims 6 and 7 are currently amended. Claim 6 is amended to include the subject matter of original claims 2, 3 and 5. Claim 7 is amended for grammatical purposes and to improve readability. No new matter has been entered.

**§112, 2<sup>nd</sup> paragraph, Rejections**

Claims 6 and 7 are rejected as indefinite as follows.

a) Claim 6 is rejected for being unclear with respect to “which limitations of claim 1 are imported into claim 6.” As claim 6 is currently in independent form with all limitations expressly recited therein, this rejection has been obviated. Accordingly, Applicants request withdrawal of this rejection.

b) Claims 6 and 7 are rejected for inclusion of the indefinite term “derivatives” imported from claim 1. As this term does not appear in current claims 6 or 7, this rejection is moot. Accordingly, Applicants request withdrawal of this rejection.

c) Claim 7 is rejected for being unclear with respect to “one or more *other* layers.” As this phrase no longer appears in claim 7, this rejection is moot. Accordingly, Applicants request withdrawal of this rejection.

d) Claim 7 is rejected for being unclear because the Office asserts that it “is unclear what is meant or encompassed by [‘color layer’ and ‘functional layer’].” Applicants point out that the specification defines these terms as follows ([0080] and [0081] respectively of the published specification):

“The color layer can be a lacquer layer; however, it is preferably composed, as in the prior art, of a colored thermoplastics layer. The thermoplastic can be a polyamide or a polymer compatible with polyamide.

The colorants used can comprise organic dyes or inorganic or organic pigments.

The functional layer is a layer which has an advantageous effect on the properties of the film in relation to performance requirements, irrespective of the color, for example with regard to mechanical properties or resistance, for example to UV or heat. It can be composed of any desired molding composition which meets the performance demands and has the required adhesion to the adjacent layers, for example of polyamide, polyester, or polycarbonate.”

Accordingly, as one skilled in the art would understand “what is meant or encompassed by these terms” in light of the definitions provided in the specification, Applicants request that this rejection be withdrawn.

#### **§102(b) Rejection over *Oenbrink***

Claims 6 and 7 are rejected under 35 U.S.C. §102(b) as anticipated by *Oenbrink* (US 5,637,408). Applicants respectfully traverse this rejection.

The claimed invention relates to a multilayer film comprising a polyamide molding composition layer and an adhesion promoter layer wherein the adhesion promoter comprises (i) a copolymer and ABS or (ii) a copolymer, ABS and polyamide.

In contrast, even though *Oenbrink* discloses a film comprising a polyamide-containing layer, a copolymer-containing layer and a PMMA-containing layer (see Examples) (“PMMA” stands for polymethylmethacrylate), *Oenbrink* is silent with respect to the copolymer-containing layer also containing (i) ABS and/or (ii) ABS and polyamide.

Accordingly, since *Oenbrink* does not disclose all of the claimed limitations, namely Applicants’ adhesion promoter-containing layer comprising (i) a copolymer and ABS or (ii) a copolymer, ABS and polyamide, *Oenbrink* does not anticipate Applicants’ claims. Thus, Applicants request withdrawal of this rejection.

In addition, Applicants submit that *Oenbrink* does not render obvious the claimed invention. As discussed above, *Oenbrink* is silent with respect to the copolymer-containing layer also containing (i) ABS and/or (ii) ABS and polyamide. Consequently, *Oenbrink* can not then be considered to suggest that which it is silent on.

Furthermore, given the silence of *Oenbrink* with respect to the inclusion of ABS with the copolymer, this reference alone does not disclose or suggest the improved adhesion between the polyamide layer and ABS as attained by the claimed multilayer film (see [0102] of published specification). More specifically, Table 1 of the specification shows that no separation of bond partners was seen for examples according to the claimed invention; however, examples outside the claimed parameters showed separation at forces as small as 0.1 N/mm.

Accordingly, *Oenbrink* does not render obvious Applicants' claims.

### **§102(b) Rejection over *Ries***

Claims 6 and 7 are rejected under 35 U.S.C. §102(b) as anticipated by *Ries* (US 6,680,093). Applicants respectfully traverse this rejection.

As stated above, the claimed invention relates to a multilayer film comprising a polyamide molding composition layer and an adhesion promoter layer wherein the adhesion promoter comprises (i) a copolymer and ABS or (ii) a copolymer, ABS and polyamide.

In contrast, *Ries* discloses a multilayer composite comprising a polyamide-containing layer ("A"), a polyester- or fluoropolymer-containing layer ("B") and a copolymer-containing layer ("C") (Abstract, claim 1). However, *Ries* is silent with respect to the copolymer-containing layer ("C") also containing (i) ABS and/or (ii) ABS and polyamide. Accordingly, since *Ries* does not disclose all of the claimed limitations, namely Applicants' adhesion promoter-containing layer comprising (i) a copolymer and ABS or (ii) a copolymer, ABS and

polyamide, *Ries* does not anticipate Applicants' claims. Thus, Applicants request withdrawal of this rejection.


In addition, Applicants submit that *Ries* does not render obvious the claimed invention for the same reasons as discussed above with respect to *Oenbrink* not rendering obvious the claimed invention.

### Conclusion

For the reasons discussed above, Applicants submit that all now-pending claims are in condition for allowance. Applicants respectfully request the withdrawal of the rejections and passage of this case to issue.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.  
Norman F. Oblon

  
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Justine M. Wilbur  
Attorney of Record  
Registration No. 59,678

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 08/07)